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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,219	07/02/2003	John Sheridan Richards	600.1281	5761
23280	7590	07/05/2005		
DAVIDSON, DAVIDSON & KAPPEL, LLC			EXAMINER	
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NEW YORK, NY 10018				
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/612,219	RICHARDS, JOHN SHERIDAN
	Examiner	Art Unit
	Wasseem H. Hamdan	2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 May 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-6,8-12,14-17,19 and 20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-6,8-12,14-17,19 and 20 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 May 2005 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8, 10-12, 14, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US Patent 4,694,749) in view of Richard Geoffrey Warren (UK Patent GB 2 298 985).

Regarding claims 1 and 14, Takeuchi et al. discloses a method and apparatus for presetting motor phase in a web printing press [FIG. 2; column 2, lines 19-48] comprising the steps of:

determining a desired preset phase for a motor [column 1, line 46. Each sensor detects the phase deviation of the plate cylinders to carry out a registration operation, and hence determining a desired preset phase for a motor is a must in order to provide a mark on a first printing form as a function of the determined desired preset phase for a motor driving the first printing form during printing];

subsequent to the determining step providing a mark [column 1, lines 44-45] on a first printing form [column 1, line 45 (printing form means the same as printing plate)] as a function of the determined desired preset phase for a motor driving the first printing form during printing [column 1, lines 46-48]. Since the cylinder (printing form) is driven by the motor, the phase deviations of the plate cylinder is the same as the phase deviation of the motor, as the motor is

the driving force. As disclosed in Takeuchi et al. in column 1, lines 34-60, "Each sensor detects the phase deviation of the plate cylinders to carry out a registration operation", and column 2, lines 49-64 disclose "error correcting means for changing the rotational phase of each plate cylinder in response to the signal from the control means", i.e. when the mark position is changed accordingly];

reading the mark using a sensor, the sensor having a sensor output [column 1, lines 42-47] ; and

presetting the phase of the motor as a function of the sensor output [column 1, line 43].

Regarding claim 14, Takeuchi et al. discloses a controller [column 1, line 55] for determining the first preset motor phase information as a function of the output of the first sensor [column 1, lines 42-60].

Takeuchi et al. discloses the essential elements of the claimed invention, but Takeuchi et al. is silent about using plate making equipment, the plate or image making equipment varying the mark. However, Warren discloses using plate making equipment, the plate or image making equipment varying the mark [page 2, lines 1-19]. In Warren the plate calibration information is in the form of bar-coded data, which it is different for every calibration which is the same as the claim language using plate making equipment, the plate or image making equipment varying the mark]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Takeuchi et al. by including using plate making equipment, the plate or image making equipment varying the mark, since using the plate making equipment, the plate or image making equipment varying the mark, would be beneficial

for the purpose of providing enhancements for setup and control of the printing press and hence a better quality printing image.

Regarding claim 2, Takeuchi et al. discloses wherein the desired preset phase is a function of a physical position of the mark on the first printing form [column 1, lines 42-47].

Regarding claims 3 and 4, Takeuchi et al. discloses wherein the mark includes information related to the desired preset phase [column 1, lines 42-47].

Regarding claim 5, Takeuchi et al. discloses wherein the printing form is a lithographic printing plate [column 1, line 14; offset printing press is the same as lithographic printing, please see Handbook of print media, page 52, section 1.3.2.3, a copy is included (and in PTO 892 form in the office action)].

Regarding claim 6, Takeuchi et al. discloses wherein the mark [m] is located outside a main image area of the printing plate [column 1, line 45 (printing form means the same as printing plate)].

Regarding claim 8, Takeuchi et al. discloses wherein the sensor reads the mark when the first printing form is on the printing press [m; 61; column 14, lines 35-61].

Regarding claim 10, Takeuchi et al. discloses a second mark [FIG. 2; 61] on a second printing form [FIG. 2; column 2, lines 34-35; 55-56], the second mark being a function of a desired preset phase for a second motor [20] driving the second printing form during printing, the first and second printing forms printing different webs [FIG. 2; 61; 2a; 20-26].

Regarding claim 11, Takeuchi et al. discloses calculating the desired preset phase for a specific job [column 11, lines 44-60].

Regarding claim 12, Takeuchi et al. discloses storing the desired preset phase [column 1, lines 40-41].

Regarding claim 16, Takeuchi et al. discloses a second printing group for printing a second web and having at least one second drive motor and at least one second printing form, the second printing form having a second mark providing second preset motor phase information for presetting the second drive motor to a second preset phase [FIG. 2; 61; 2a; 20-26].

Regarding claim 20, Takeuchi et al. discloses the essential elements of the claimed invention except for the mark being a bar code. Warren discloses that the mark is a bar code [page 4, lines 5-6]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Takeuchi et al. by making the mark a bar code, since Warren teaches that having the mark as a bar code would be beneficial for

the purpose of including various barcodes that can be changeable and machine readable marks [Warren: page 2, line 3; page 4, line 2].

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US Patent 4,694,749) in view of Richard Geoffrey Warren (UK Patent GB 2 298 985) as applied to claims 1-6, 8, 10-12, 14 and 16 above, and further in view of Banke (US Patent 4,872,407).

Regarding claim 9, Takeuchi et al. and Warren together disclose the essential elements of the claimed invention except for wherein the sensor reads the mark prior to placement of the printing plate on the printing press. Banke discloses a sensor that reads a mark prior to placement of the printing plate on the printing press [6, 5, 1; Abstract]. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify the teachings of Takeuchi et al. by including the sensor that reads the mark prior to placement of the printing plate on the printing press, since having the sensor that reads the mark prior to placement of the printing plate on the printing press would be beneficial for the purpose of properly positioning the plate on the cylinder.

4. Claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US Patent 4,694,749) in view of Richard Geoffrey Warren (UK Patent GB 2 298 985) as applied to claims 1-6, 8, 10-12, 14 and 16 above, and further in view of Chretinat et al. (US Patent 6,167,806 B1).

Regarding claim 15, Takeuchi et al. discloses having a cutting device for cutting the web into signatures, the first preset motor phase information being a function of a reference position of the cutting device [column 4, lines 20-22].

Takeuchi et al. and Warren together disclose the essential elements of the claimed invention except for a folder. Chretinat et al. discloses a folder [10; column 6, lines 41-43]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to further modify the teachings of Takeuchi et al. by including a folder, since having a folder would be beneficial for the purpose of folding the printing material after being cut, storing and delivering it to the user, basically to make up a specific product such as magazines or newspapers as taught by Chretinat et al.

Regarding claim 17, Takeuchi et al. and Warren together disclose the essential elements of the claimed invention except for that the controller that controls the first and the second drive motors. Chretinat et al. discloses that the controller controls the first and the second drive motors [6; column 6, lines 44-47]. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify the teachings of Takeuchi et al. by including a controller that controls the first and the second drive motors, since having a second printing group for printing a second web would be beneficial for folding the printing material after being cut, storing and delivering it to the user, basically to make up a specific product such as magazines or newspaper as taught by Chretinat et al.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US Patent 4,694,749) in view of Richard Geoffrey Warren (UK Patent GB 2 298 985) as applied to claims 1-6, 8, 10-12, 14 and 16 above, and further in view of Huston (US Patent 5,816,165).

Regarding claim 19, Takeuchi et al. and Warren together disclose the essential elements of the claimed invention except for measuring a distance of the mark from an edge of the first printing form. Hunold et al. discloses measuring a distance of the mark from an edge of the first printing form [d₀; column 3, lines 4-10]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to further modify the teachings of Takeuchi et al. by including measuring a distance of the mark from an edge of the first printing form, since having to measure a distance of the mark from an edge of the first printing form would be beneficial for the purpose of giving indication of how far the mark is from the beginning of the cylinder.

Response to Arguments

6. Applicant's arguments filed 05/31/2005 have been fully considered but they are not persuasive.

Applicant's argues on page 11, that "Neither Takeuchi nor Warren discloses the newly added limitation determining a desired preset phase for a motor." The examiner respectfully disagrees, because Takeuchi et al. discloses determining a desired preset phase for a motor [column 1, line 46. Each sensor detects the phase deviation of the plate cylinders to carry out a registration operation, and hence determining a desired preset phase for a motor is a must in

order to provide a mark on a first printing form as a function of the determined desired preset phase for a motor driving the first printing form during printing. Since the cylinder (printing form) is driven by the motor, the phase deviations of the plate cylinder is the same as the phase deviation of the motor, as the motor is the driving force. As disclosed in Takeuchi et al. in column 1, lines 34-60, "Each sensor detects the phase deviation of the plate cylinders to carry out a registration operation", and column 2, lines 49-64 disclose "error correcting means for changing the rotational phase of each plate cylinder in response to the signal from the control means", i.e. when the mark position is changed accordingly].

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2854

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem H. Hamdan whose telephone number is (571) 272-2166. The examiner can normally be reached on M-F (first Friday off) 6:30 AM- 4:00 PM.

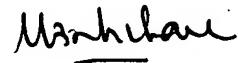
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wasseem H. Hamdan

June 22, 2005



MINH CHAU
PRIMARY EXAMINER